

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 22 APRIL, 2015, COMMENCING AT 3 PM.

**PRESENT:** Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, H N Castledine, P J Girle, B C Johnston, D C Jones, A A Michael and M J Peters.

The General Manager (Paul Henry), Director Corporate & Economic Services (Ken Beddie) and Director Civil & Environmental Services (Brett McInnes).

**APOLOGIES** **S13.6.9/08**

The General Manager advised that Cr Watts tendered her apology and sought leave of absence for business reasons.

**22/15 RESOLVED** (Baker/Castledine) *that the apology from Cr Watts due to her absence for business reasons be accepted, and that leave of absence be granted.*

**CONFIRMATION OF MINUTES** **S13.5.2/08**

**23/15 RESOLVED** (Johnston/Michael) *that the Minutes of the Ordinary Meeting of Council held on 25 March, 2015, as circulated to members, be confirmed as a true and correct record of that meeting.*

**DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**

There were no interests declared.

**PUBLIC FORUM** **S13.5.6/08**

At this juncture, the time being 3.03pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

GM-A Mrs Sue Moran Town Centre Renewal Plan (TCRP) S30.11.4

Mrs Moran spoke in respect of the TCRP and noted the recommendation from the Civil & Environmental Services Committee to today's meeting. Mrs Moran raised concerns in respect of the brief for the proposed 'Peer Review' to be conducted of the 'Tree Report'. Mrs Moran indicated that it was her view that the Plane Trees should be included in Council's Asset Register as she believes they are a high value asset.

Mrs Moran asked if the Urban Construction Budget Allocation could be considered for expenditure on the completion of the Mansfield Street kerb and gutter, tree maintenance and extending the CBD footpath treatments.

Mrs Moran further asked:

- When will the Mansfield Street kerb and gutter project be completed?
- Can a Tree Management Plan be prepared for Mansfield Street noting the condition of a number of the Claret Ash Trees?
- Can the CIRA be provided with a position on the Committee preparing the brief for the 'Peer Review'?

- Is Council prepared to have further meetings with the executive of CIRA in respect of this matter?

The Mayor advised that the works on the next section of Mansfield Street are funded and programmed to commence shortly however, the completion of the final block is subject to ongoing negotiations with the NSW Roads and Maritime Services in respect of the funding for the highway intersection.

At this juncture, the time being 3.12pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

## **SECTION B ADVOCACY REPORTS**

Cr Michael      Telstra Business Shop

Cr Michael noted that Telstra has closed the locally owned Telstra Business Shop and transferred the business to the Tamworth Business Shop. While it has been proposed that Tamworth Business Shop will open premises in Inverell, questions have been raised as to whether that business will provide the same level of local sponsorship to events and assistance organisations as the local Telstra Business Shop provided.

Cr Michael      Tourism

Cr Michael noted he had been advised that a group of caravaners staying in Inverell had spent \$19,355 throughout the duration of their stay. The group stayed at the Inverell Showground.

Cr Michael      Inverell Cultural Council

Cr Michael noted the Inverell Cultural Council's 2015 Annual General Meeting and advised that all office holders were returned to their executive positions.

Cr Michael      Nullumanna Community

Cr Michael informed the Committee of his attendance at the Nullumanna Remembers Anzac Dinner & Dance held at the Nullumanna Hall on 18 April, 2015. Cr Michael noted that the event was a great success and the Hall Committee continue to upgrade the facility.

Cr Baker      Inverell Equestrian Council

Cr Baker advised that the Inverell Equestrian Council have completed 50% of the arena fence replacement. A number of planned events have had to be rescheduled due to wet weather.

Cr Harmon      Bus NSW

Cr Harmon advised that plans are well under way to secure the April, 2016 Bus NSW Conference, with an expected attendance of 400-450 delegates.

Cr Michael      Copeton Freshwater Swim Event

Cr Michael noted the success of the 2015 event with 133 participants from a wide area including interstate. The event requires 200 participants to break even and the organisers hope to achieve this in 2016.

**1.      INVERELL POLICE STATION                      S3.16.2**

GM-A      **24/15 RESOLVED** (Harmon/Michael) that:

- i)      *Council advise the Member for Northern Tablelands, Mr Adam Marshall, that Council supports the need for the construction of a new Police Station in Inverell; and*
- ii)     *that Mr Marshall be requested to seek support from the community for the construction of the new facility and to obtain a funding commitment from the State Government for this project.*

**2.      NBN ROLLOUT SCHEDULE                      S10.12.2/08**

GM-A      **25/15 RESOLVED** (Harmon/Castledine) that:

- i)      *the information be received and noted, and*
- ii)     *Council make representations to the Minister for Communications and Local Member for New England, the Hon. Barnaby Joyce in this matter.*

**SECTION C  
COMMITTEE REPORTS**

**1.      CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES –  
8 APRIL 2015                      S4.11.16/07**

**26/15 RESOLVED** (Castledine/Jones) that:

- i)      *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 8 April, 2015, be received and noted; and*
- ii)     *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

At this juncture, the time being 3.33pm, Cr Baker left the meeting.

**2.      PROPOSED AMENDMENT TO THE PROTECTION OF THE ENVIRONMENT  
OPERATIONS (CLEAN AIR) REGULATION 2010 TO ENHANCE THE WOOD  
HEATER FRAMEWORK                      S11.12.2**

*That Council not elect to introduce an additional framework of controls for wood heaters under the proposed amendment to the Regulations.*

**3.      SWIMMING POOL INSPECTION PROGRAM                      S7.9.2/08**

*That the proposed Swimming Pool Inspection Program be endorsed.*

**4.      REQUEST TO SUPPORT NAMING OF 'HAYES GULLY' - BEDWELL DOWNS  
ROAD                      S28.13.2**

*That Council support the name "Hayes Gully" for the watercourse within Lot 6 DP 750091, along Bedwell Downs Road.*

5. REGIONAL ROADS REPAIR PROGRAM - ADDITIONAL FUNDING S15.8.22

*That:*

- i) Council accept the offer of additional Repair Program Funding; and
- ii) the suggested amendments to the Works Program be approved.

Item 1 considered at the conclusion of the Civil and Environmental Committee Meeting Minutes.

1. MEETING WITH REPRESENTATIVES OF CONCERNED INVERELL RATEPAYER'S ASSOCIATION (CIRA) S30.11.4

**27/15 RESOLVED** (Michael/Johnston) that:

- i) a suitably qualified Arborist be engaged to provide a peer review of the recommendations contained in the original Arborist's report;
- ii) the brief for the Peer Review be "Council is seeking the services of a minimum AQF Level 5 qualified and experienced Consulting Arborist to undertake an independent peer review of the recommendations regarding the long term management of London Plane trees in Otho and Byron Street, Inverell as contained in the "Tree Report" prepared by Mr Mark Hartley on 23 April, 2012. The review shall include an onsite general inspection of the subject trees."; and
- iii) the Concerned Inverell Ratepayer's Association be advised of Council's position.

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 8 APRIL 2015 S4.11.17/07

**28/15 RESOLVED** (Baker/Johnston) that:

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 8 April, 2015, be received and noted; and
- ii) the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:

1. REQUEST TO LICENCE LAND – STRAHLEY S5.10.83

*That:*

- i) Council enter into a Licence Agreement with Mr Rob and Mrs Jacqui Strahley for Part Lot 3 DP 738104, Inverell for a two (2) year period with a further two (2) year option;
- ii) the Licence fee be \$200.00 per annum (GST Inclusive) with a 3% increase per annum; and
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

2. 2015/2016 DRAFT ESTIMATES & OPERATIONAL PLAN S12.5.3

*That Council the following works be funded from the Urban Works Vote and be included in the 2015/2016 Budget:*

A. Inverell and Villages - Urban Renewal and Upgrade General Fund Water Fund

Urban Construction and Asset Renewal \$ 297K  
(Subject to report to Civil and Environment Committee  
Noting additional funding required for the Gilgai  
drainage project will need to be allocated from these  
Funds).

B. Footpaths and Cycleway Construction

\$ for \$ Contribution to PAMP Program \$ 220K  
(RMS approved the 2015/2016 Program)

C. Urban Drainage Construction/Reconstruction

Drainage Constructions – Funded from Stormwater  
Management Service Charge – See separate section below

D. Village Works – Community suggested projects

Ashford	\$ 5K
Delungra	\$ 5K
Gilgai	\$ 5K
Yetman	\$ 4K
Oakwood	\$ 1K
Bonshaw	\$ 1K
Graman	\$ 1K
Nullamanna	\$ 1K
Elsmore	\$ 1K
Stannifer	\$ 1K
Gum Flat	\$ 1K

E. Asset Maintenance Program (new Item) \$ 100K

<b>GENERAL FUND GRAND TOTAL</b>	<b>\$ 643K</b>	
<b>WATER FUND TOTAL</b>		<b>\$ 0K</b>

1.2 Finance and Assistance Grant – Local Roads Component (ACRD) 2015/2016 Program

*That the budget allocations for the 2015/2016 ACRD Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the funding allocations and individual works proposed to be undertaken under this program.*

1.3 RMS Supplementary Block Grant Program

*That the allocation of the \$160K RMS Supplementary Block Grant Program be the subject of a further report to the Civil and Environmental Services Committee.*

1.4 Roads to Recovery Program

*That the budget allocation for the 2015/2016 Roads to Recovery Program be endorsed and a further report be presented to the Civil and Environment Committee in respect of the specific projects to be funded on the Rural Local Road Network.*

1.5 Block Grant Program – Regional Roads

*That the 2015/2016 Block Grant Program be endorsed.*

1.6 Variations to Budget

*That:*

- i) the information be noted and projects be endorsed;*
- ii) Council provide an allocation of \$150,000 for joint industry promotions and assistance;*
- iii) the following 2015/2016 Strategic Capital Infrastructure/Projects Program projects be endorsed:*
  - Shade Shelter Gilgai Playground Equipment WHS \$ 25K
  - Community Building Partnerships Program \$ for \$ \$ 60K
  - Solar Lighting Campbell Park \$ 50K
  - Amenities Renewal/Asset Upgrades \$ for \$ Grants \$ 380K
- iv) the transfers to and from Internally Restricted Assets be endorsed.*

1.7 Rates

1.7.1 General Comments

*That Council utilise the maximum permissible rate increase allowed by the IPART/State Government of 2.4%.*

1.7.2 Rating Structure

*That the General Base Amount and the General Ad Valorem Rates be determined utilising the maximum permissible increase allowed by the State Government and the categories be:*

*Residential – Inverell  
Residential – General.  
Residential – Ashford.  
Residential – Delungra.  
Residential – Gilgai.  
Residential – Yetman.  
Residential – Rural.  
Business – Inverell Industrial/Commercial.  
Business – Other.  
Farmland.  
Mining.*

1.7.3 Effect on Rates

*That:*

- i) the information be noted; and*
- ii) the Interest Rate applicable to Outstanding Rates and Charges for 2015/2016 be the maximum allowable as advised by the Division of Local Government.*

1.8 Waste Management Charges

*That the following Waste Management Charges be adopted:*

i) Waste Management Charge – All Properties \$ 70.00

ii) Domestic Waste Management - Occupied Charge:

Number of Services per Assessment	Annual Charge per Assessment
1	\$300.00
2	\$600.00
3	\$900.00
4	\$1,200.00
5	\$1,500.00
6	\$1,800.00
7	\$2,100.00
8	\$2,400.00
9	\$2,700.00
10	\$3,000.00
11	\$3,300.00
12	\$3,600.00
13	\$3,900.00
14	\$4,200.00
15	\$4,500.00
Etc.	

c) Domestic Waste Management – Unoccupied Charge \$ 40.00

d) Other Waste Management Charge

Number of Services	Yearly Charge per Service (Ex GST)	Yearly Charge per Service (Inc. GST)
1	\$300.00	\$330.00
2	\$600.00	\$660.00
3	\$900.00	\$990.00
4	\$1,200.00	\$1,320.00
5	\$1,500.00	\$1,650.00
6	\$1,800.00	\$1,980.00
7	\$2,100.00	\$2,310.00
8	\$2,400.00	\$2,640.00
9	\$2,700.00	\$2,970.00
10	\$3,000.00	\$3,300.00
11	\$3,300.00	\$3,630.00
12	\$3,600.00	\$3,960.00
13	\$3,900.00	\$4,290.00
14	\$4,200.00	\$4,620.00
15	\$4,500.00	\$4,950.00
Etc.		

e) Weekly Commercial Recycling Charge \$ 100.00 plus GST  
 Fortnightly Commercial Recycling Charge \$ 50.00 plus GST

(These Charge are levied per Service, and GST is only charged if applicable)

# 1.9 Fees & Charges

That the Fees and Charges, as recommended, be adopted.

1.10 Stormwater Management Service Charge

*That the Stormwater Management Service Charge be set at the maximum amount allowable of \$25.00 for Residential Premises, and \$25.00 for Business Premises for each 350 square metres or additional part thereof, subject to a maximum charge on Business Premises of \$100.00, and the Stormwater Management Program as recommended, be adopted.*

1.12 Fit for the Future

*That:*

- i) the report on the balanced budget be noted,*
- ii) the list of inclusions and omissions as included in the Draft Operational Plan/Budget be endorsed;*
- iii) Council advise the State Government that, Council has been independently assessed as having sound financial and operational performance, Council continues to seek operational and energy efficiency and that it is undertaking a full review and assessment of its road and road related infrastructure assets. Further that Council endorses the strategy of addressing the Operating Performance, Own Source Revenue and Infrastructure Backlog "Fit for the Future" Benchmarks of the General Fund through an increase in its own source revenues, including the option of a special rate variation commencing in 2017/2018; and*
- iv) the Draft Estimates (incorporating the Operational Plan) for the General Activities for 2015/2016 be adopted and placed on public exhibition for a period of twenty eight (28) days as required by Section 405 of the Local Government Act 1993.*

2. SEWERAGE ACTIVITIES

*That:*

- i) the Sewerage Charges as listed below be adopted for 2015/2016:*

<i>Sewerage Charge Occupied</i>	<i>\$ 476.20</i>
<i>Sewerage Charge Unoccupied</i>	<i>\$ 298.30</i>
<i>Sewerage Charge Flats/Units</i>	<i>\$ 298.30</i>
<i>Sewerage Charge Nursing Homes</i>	<i>\$2,230.50</i>
<i>Sewerage Charge Hotel/Licensed Clubs</i>	<i>\$1,428.40</i>

<i>Number of Services per Assessment</i>	<i>Annual Charge Per Assessment</i>
<i>1</i>	<i>\$ 476.20</i>
<i>2</i>	<i>\$ 774.50</i>
<i>3</i>	<i>\$1,072.80</i>
<i>4</i>	<i>\$1,371.10</i>
<i>5</i>	<i>\$1,669.40</i>
<i>6</i>	<i>\$1,967.70</i>
<i>7</i>	<i>\$2,266.00</i>
<i>8</i>	<i>\$2,564.30</i>
<i>9</i>	<i>\$2,862.60</i>
<i>10</i>	<i>\$3,160.90</i>
<i>11</i>	<i>\$3,459.20</i>
<i>12</i>	<i>\$3,757.50</i>
<i>13</i>	<i>\$4,055.80</i>



14	\$4,354.10
15	\$4,652.40

Sewerage Non-Rateable Schools – WC's	\$ 69.00 per receptacle
Sewerage Non-Rateable Other – WC's	\$ 115.00 per receptacle
Sewerage Non-Rateable Urinals	\$ 69.00 per receptacle

New Charge Structure for Motels and Caravan Parks

*In accordance with the new charge structure for Motels and Caravan Parks the following charges are proposed with 2015/2016.*

Motel Residence	\$ 476.20
Motel Restaurant	\$ 476.20
Motel Ensuite	\$ 149.15
Caravan Park Residence	\$ 476.20
Caravan Park Amenities Block	\$ 1,428.40
Caravan Park Ensuite Cabins	\$ 149.15

- ii) *the Draft Estimates (incorporating Operational Plan) for the Sewerage Fund for 2015/2016 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

3. WATER ACTIVITIES

*That:*

- i) *a water charge of \$346.50 be adopted for 2015/2016;*
- ii) *a charge of \$1.37 per kilolitre be adopted for commercial water consumption for 2015/2016;*
- iii) *a charge of \$1.37 per kilolitre, 0 to 600 kilolitres and \$1.60 per kilolitre over 600 kilolitres be adopted for residential water consumption for 2015/2016;*
- iv) *a charge of \$0.75 per kilolitre be adopted for water consumption - Abattoirs, plus a 20 per cent early settlement discount for 2015/2016;*
- v) *a charge of \$0.36 per kilolitre adopted for Raw Water consumption for 2015/2016; and*
- vi) *the Draft Estimates (incorporating Operational Plan) for the Water Fund for 2015/2016 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act, 1993.*

3. GENESIS ACCOUNTING \$12.24.6

*That Inverell Shire Council accept the invitation and participate in the class action against the ATO.*

4. GOVERNANCE - MONTHLY INVESTMENT REPORT \$12.12.2/08

*That:*

- i) *the report indicating Council's Fund Management position be received and noted; and*
- ii) *the Certification of the Responsible Accounting Officer be noted.*

5. LAND MATTER S5.2.3

That:

- i) *the report be received and noted, and*
- ii) *Council provide the Investigation Unit with information which identifies the subject land as being lawfully used and occupied and is needed for an essential public purpose.*

**SECTION D  
DESTINATION REPORTS**

1. FIT FOR THE FUTURE - GLEN INNES SEVERN COUNCIL S13.1.2

GM-A **29/15 RESOLVED** (Johnston/Michael) *that the matter be referred for detailed discussions at a Workshop at the May, 2015 Economic and Community Sustainability Committee Meeting.*

MOTION (Peters/Jones) that Council commence discussions with Glen Innes Severn Council and Tenterfield Shire Council in respect of the amalgamation of the three (3) Council areas.

The motion on being put to the meeting was lost.

2. STAFF INFORMATION REPORT S22.20.1

**30/15 RESOLVED** (Michael/Girle) *that the matter be referred to Closed Council for consideration as:*

- i) *the matters and information are Personnel matters concerning particular individuals (other than councillors), (Section 10A(2)(a) of the Local Government Act, 1993);*
- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

**SECTION E  
INFORMATION REPORTS**

1. ENERGY EFFICIENT STREET LIGHTING UPGRADE PROJECT  
S15.8.44/04

2. STRATEGIC TASKS – ‘SIGN OFF’ – MARCH 2015 S4.13.2

3. LETTER REGARDING TOWN CENTRE RENEWAL PLAN S30.11.4

4. CONSTRUCTION CERTIFICATES APPROVED FOR  
MARCH 2015 S7.2.4/08

5. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING MARCH  
2015 S7.2.4/08

6. SUMMARY OF BUILDING CONSTRUCTION FOR MARCH 2015  
S7.2.4/08

7. DEVELOPMENT CONSENTS AND REFUSALS DURING JANUARY 2015  
S18.10.2/08
8. SEPTIC TANK APPROVALS FOR MARCH 2015 S29.19.1
9. ORDINANCE ACTIVITIES REPORT FOR MARCH 2015 S18.10.1

**31/15 RESOLVED** (Baker/Castledine) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 22 April, 2015, be received and noted.

At this juncture, the time being 4.17pm, Cr Jones left the meeting.

#### **SECTION F QUESTIONS WITHOUT NOTICE**

**QWN/ORD 12/15** Inverell Shire Public Library  
Cr Baker

Cr Baker noted the continuing strong performance and growth of the Library and its facilities.

At this juncture, the time being 4.19pm, Cr Jones returned to the meeting.

**QWN/ORD 13/15** Rivers Street – Sewer Manhole  
Cr Jones

Cr Jones noted a problem with a manhole in Rivers Street during wet weather. Cr Jones will provide details of the location of the manhole.

**QWN/ORD 14/15** Road Funding Issues  
Cr Peters

Cr Peters noted the recent 'Road Funding Issues Paper' as included in the Budget Report and the need for Council to address the matters raised from either its own source funding or by gaining real long term funding increases from the State and Federal Government.

The General Manager advised that in conjunction with the current Road Infrastructure Review and Revaluation, that a report is being prepared and will be presented to the June, 2015 Economic and Community Sustainability Committee Meeting in this matter.

#### **SECTION G CONFIDENTIAL REPORTS IN CLOSED COUNCIL (SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)**

At 4.32pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

#### **CLOSED COUNCIL REPORTS**

**32/15 RESOLVED** (Castledine/Johnston) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Council at 4.33pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

1. STAFF INFORMATION REPORT S22.20.1

*That the information be received and noted.*

**ADOPTION OF RECOMMENDATIONS**

**33/15 RESOLVED** (Michael/Baker) *that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 4.45pm.

CR P J HARMON

CHAIRPERSON